

## DECLARATION FOR PATENT APPLICATION

Docket Number: CUPIT001

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS AND METHOD FOR DETERMINING THE LEVEL IN A COKE DRUM, the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_, as United States Application number \_\_\_\_\_ or PCT International Application number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in title 37, code of Federal Regulation, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. NONE

|          |           |                        | Priority Claimed   |
|----------|-----------|------------------------|--|
|          |           |                        | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| (Number) | (Country) | (Day/Month/Year Filed) |  |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

|                      |               |
|----------------------|---------------|
| 60/276,856           | 03/19/01      |
| (Application Number) | (Filing Date) |
| (Application Number) | (Filing Date) |

I hereby claim the benefit under title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application. NONE.

|                      |               |                                       |
|----------------------|---------------|---------------------------------------|
| (Application Number) | (Filing Date) | (Status-patented, pending, abandoned) |
| (Application Number) | (Filing Date) | (Status-patented, pending, abandoned) |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard L. Moseley REG. # 32,482  
Address all telephone calls to Richard L. Moseley at telephone number (713) 780-7047

Address all correspondence to Richard L. Moseley, P.O. BOX 630708, HOUSTON, TEXAS 77263

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Carl E. Cupit

Inventor's signature: Carl E. Cupit Date: 5/10/23-01  
Residence: Groves, Texas Citizenship: United States of America  
Post Office Address: 6373 Jefferson, Groves, Texas 77619

Applicants or Patentees: Carl E. Cupit

Serial or Patent No.:

Filed or Issued:

For: APPARATUS AND METHOD FOR DETERMINING THE LEVEL IN A COKE DRUM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 35 USC §41(a) and (b), to the Patent and Trademark Office with regard to the invention entitled: APPARATUS AND METHOD FOR DETERMINING THE LEVEL IN A COKE DRUM

described in:

the specification filed herewith.  
 application serial no. , filed  
 patent no. , issued

I have not assigned, granted, conveyed or licensed and under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

no such person, concern, or organization.  
 persons, concerns or organizations listed below\*:

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name:

Address:

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: Carl E. Cupit

Signature of Inventor:



Date: 10-23-01